

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:21-cr-182

UNITED STATES OF AMERICA )  
 )  
v. ) PRELIMINARY ORDER  
 ) OF FORFEITURE  
BRANDON GRUNWALDT )

**THIS MATTER** is before the Court on the government's Motion for Preliminary Order of Forfeiture, (Doc. No. 35), to which the defendant has not objected.

The United States requests, pursuant to Fed. R. Crim. P. 32.2(b) and 18 U.S.C. § 2253, that this Court enter a Preliminary Order of Forfeiture for the Apple iPhone 8 plus cell phone, a T-Mobile, Alcatel 5049W cell phone, and an Apple A1458 iPad (hereafter, "the Devices"), that the United States contends contain child pornography and were used or intended to be used to commit the offenses in this case. For good cause shown and based on the preponderance of the evidence, this Court hereby **GRANTS** the Motion. In support of granting the Motion, the Court **FINDS AS FOLLOWS:**

On July 20, 2021, a grand jury returned a Bill of Indictment against the defendant, charging him with five counts of transportation of child pornography in violation of 18 U.S.C. § 2251 and one count of possession of child pornography in violation of 18 U.S.C. § 2252A, all such counts related to content produced via and/or stored on the Devices. (Doc. No. 1). In the Indictment, the grand jury also found probable cause for forfeiture of the Devices.

The defendant elected a jury trial on the criminal charges. As summarized in the sentencing materials in this case, during the trial, the minor victim, Mint Hill Police Department Detective Michael Maness, and Homeland Security Investigations Special Agent Amy Olsen, among others, all testified about the troubling content found on the Devices and use of the Devices to produce and

store sexually explicit videos of the minor victim. A jury found the defendant guilty of all charges. (Doc. No. 28: Verdict). The defendant did not elect a jury on forfeiture.

**IT IS, THEREFORE, ORDERED** that based upon the defendant's conviction, the United States is authorized to seize the Apple iPhone 8 plus cell phone, a T-Mobile, Alcatel 5049W cell phone, and an Apple A1458 iPad, which are hereby forfeited to the United States for disposition according to law, subject to the provisions of 21 U.S.C. § 853(n). If no third-party files a timely claim, this Order of Forfeiture shall become final.

Signed: February 17, 2023

  
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Robert J. Conrad, Jr.  
United States District Judge